

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

LUTHER MANERS, III,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil No. 3:14-CV-05831-KLS

ORDER ON REMAND

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings in regard to Plaintiff's applications for disability benefits under the Social Security Act. On remand, an administrative law judge (ALJ) shall update the record, hold a *de novo* hearing, and issue a new decision.

On remand, the ALJ will update the record to include additional evidence received by the Social Security Administration. The additional evidence includes updated treatment records from Peninsula Community Health since May 24, 2013. These additional records document recurring complaints of pain secondary to two neck fusion procedures as well as depression. In

1 light of the new evidence the ALJ will reconsider Plaintiff's allegations. If necessary, the ALJ
2 will reassess Plaintiff's residual functional capacity, obtain supplemental vocational expert
3 testimony, and issue a new decision.

4 Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to 28 U.S.C. §
5 2412(d), upon proper request to this Court.

6 DATED this 4th day of February, 2015.

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9 Karen L. Strombom
United States Magistrate Judge

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12 Presented by:

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